



Meeting Minutes
November 18, 2020, 1:00 p.m.
Electronic Meeting

Council members present:

Senator Jennifer L. McClellan
Senator Thomas K. Norment, Jr.
Delegate M. Keith Hodges
Delegate Vivian E. Watts
Walter C. Erwin
Bernard L. Henderson, Jr.
The Honorable Wilford Taylor, Jr.

Council members absent:

Sharon E. Pandak

Staff members present:

G. Stewart Petoe, Executive Director
Valerie Mizzell, Administrative
Rebekah Stefanski, Attorney
Elizabeth Sundberg, Filing Coordinator

Summary:

- I. The meeting began at 1:01 p.m. Mr. Petoe announced the members who were present, and the members briefly introduced themselves. Mr. Petoe then announced that, pursuant to Va. Code § 30-355, the Council was required to elect from among its members a Chair and a Vice-Chair. Senator Norment asked if it had been the practice of the Council to elect as Chair and Vice-Chair the former judges who serve on the Council. Mr. Petoe answered that this was the case. Senator Norment then made a motion to nominate Judge Taylor as Council Chair. The motion was seconded by Delegate Watts and unanimously approved by the Council. Judge Taylor then formally called the meeting to order at 1:07 p.m. As there is currently only one former judge on the Council, Mr. Henderson made a motion for the Council to elect its Vice-Chair at the next meeting, when it is expected that a second former judge will have been appointed. The motion was seconded by Mr. Erwin and unanimously approved by the Council.
- II. Mr. Henderson made a motion to approve the meeting minutes from the November 19, 2019, Council meeting. This motion was seconded by Mr. Erwin and unanimously approved by the Council.

- III. Mr. Petoe presented "Formal Advisory Opinion – 2020-F-001 Applicability of restrictions on gifts made by a lobbyist's principal locality" to members of the governing body. After discussion, Delegate Watts made a motion to approve the Formal Advisory Opinion as drafted. Mr. Henderson seconded the motion. The Council voted 4-3 to approve the Formal Advisory Opinion; Senator Norment, Delegate Hodges, and Mr. Erwin voted against approving it. Mr. Erwin made a motion that the Council recommend to the General Assembly that a legislative change be made to the definition of the term "gift" to exclude the cost of admission or of tickets to an event paid for by an agency and given to the officers or employees of that agency for the purpose of performing official duties. Senator Norment seconded this motion. The Council approved the motion unanimously.
- IV. Mr. Petoe presented a review of Senate Bill 383 (McPike 2020), which represents a policy decision: Should Virginia institute for the first time a registration requirement for people who engage in lobbying activities at the local level of government? Senator MCPike spoke to his bill, and Phyllis Errico with the Virginia Association of Counties (VACO) provided comment for both VACO and the Virginia Municipal League. After discussion, Senator Norment made a motion for staff members to draft options for the bill and present them at the next meeting. The motion was seconded by Delegate Watts and unanimously approved by the Council.
- V. Mr. Petoe presented the statutory requirement for the Council to adjust the \$100 gift cap every five years for inflation. The adjustment for this period is 7.99%. Mr. Erwin made a motion to approve the gift cap at the adjusted \$108. The motion was seconded by Senator McClellan and, without discussion, was unanimously approved by the Council.
- VI. Mr. Petoe presented the plan for the destruction of old Lobbyist's Disclosure Forms. Mr. Erwin made a motion to approve. The motion was seconded by Delegate Hodges and, without discussion, was unanimously approved by the Council.
- VII. Mr. Petoe presented the draft of the Council's 2020 Annual Report. Mr. Erwin made a motion to approve the report. The motion was seconded by Mr. Henderson and was unanimously approved by the Council.
- VIII. Judge Taylor asked for public comment. No public comment was given.
- IX. Judge Taylor adjourned the meeting at 3:09 p.m.